

**SHAW FAMILY ARCHIVES, LTD.**

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September 27, 2003

Bonnie Bogin  
20<sup>th</sup> Century Fox  
Legal Department

REFERENCE: Sam Shaw photograph of Marilyn Monroe used in packaging, promotion, sale and distribution of 20<sup>th</sup> Century Fox Diamond Collection Volumn I - DVD item #2001402

Dear Ms. Bogin,

I have spoken to you recently several times with regard to 20<sup>th</sup> Century Fox licensing my father's photographs of Marilyn Monroe.

On June 26<sup>th</sup> you contacted me with regard to a claim that I had made to Mattel Inc. pursuant to their use of several copyrighted and registered photographs taken by my father when he was a special photographer during the shooting of "The Seven Year Itch". I had provided Karen Ewing, at Mattel Inc. with documentation of proof of ownership of my father's photographs. You informed me that documentation had been forwarded to Jamie Samson of the 20<sup>th</sup> Century Fox licensing division and that Ms. Samson had turned that documentation, together with a notice of claim that I had made to Mattel Inc. over to you.

During our conversation you did not state that 20<sup>th</sup> Century Fox was contesting Sam Shaw as the author of the Marilyn Monroe photographs used by Mattel or that Sam Shaw and now the Estate of Sam Shaw was the copyright holder of the inherent rights thereof. You did not put forth a claim of 'work for hire'. You did inform me that more than three years had passed since the manufacture and the last sales of the Mattel doll and that the copyright holder had only a three year window in which to make his claim and that period of time had elapsed.

My response to you was that I did not believe that it was morally nor ethically correct for a giant corporation such as 20<sup>th</sup> Century Fox to hide behind a legal loop hole to avoid correct and appropriate payment to a photographer.

Bonnie, you told me that Jamie Samson would call and discuss this situation with me. As of today I have not received a call, nor letter, nor e-mail. A short time ago I spoke with you, calling your attention to our previous communication and informing you that 20<sup>th</sup> Century Fox was and is, at this moment using one of the very same photographs that was used by Mattel Inc.


In this instance there is no three year statute of limitations. The product is available in retail outlets right now, available over the internet right now. Moreover the very same photograph copyrighted and registered by and to, Sam Shaw, is being used by 20<sup>th</sup> Century Fox in the publication, transmission and dissemination of hundreds if not thousands of "send a postcard to a friend", via the internet at [http://www.foxhome.com/marylyn/index\\_frames.html](http://www.foxhome.com/marylyn/index_frames.html).

This is not the same situation as the Mattel doll. This is taking place right now. You already have the documentation for proof of ownership, copyright and registration of our photograph that is currently being used by 20<sup>th</sup> Century Fox licensing division.

At this time I am requesting a full and complete accounting of all sales of 20<sup>th</sup> Century Fox licensed products that are using our photographs, and the number of times the electronic transmission of our photograph has sent through the 20<sup>th</sup> Century Fox website [http://www.foxhome.com/marylyn/index\\_frames.html](http://www.foxhome.com/marylyn/index_frames.html), for the Diamond Collection Volume I, item #2001402.

This information would be the basis of a fair and equitable compensation package for the rightful copyright holder of the images used without authorization or credit to the photographer.

Sincerely,



Larry Shaw  
Shaw Family Archives

cc: Meta Shaw Stevens  
Edith Shaw Marcus  
Martin Bressler, Esq.  
Myron Beldock, Esq.  
Bill Greenawalt, Esq.